

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Federspiel *et al.*

Application No. 10/697,787

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For: GENERATION OF PLANTS WITH
IMPROVED PATHOGEN RESISTANCE AND
DROUGHT TOLERANCE

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INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. § 1.97(b)(4)

Listed on the accompanying form PTO-1449 is fifty-three (53) English-language documents (forty-nine (49) of which are submitted herewith). Applicants respectfully request that these documents be listed as references cited on the issued patent.

Copies of United States patents and United States published patent applications do not have to be provided to the Patent Office (37 C.F.R. 1.98(a)(2)(ii)). Copies of unpublished U.S. applications do not have to be provided, as long as the application is available on PAIR, as this requirement of 37 C.F.R. § 1.98(a)(2)(iii) has been waived by the United States Patent and Trademark Office pursuant to the Official Gazette Notice on October 19, 2004 (1287 OG 163). Applicants will provide copies of such patents or applications upon request.

Applicants filed this Information Disclosure Statement ("IDS") before the mailing of a first Office action after the filing of a request for continued examination. As a result, no fee should be required to file this IDS. However, if the Patent Office determines that a fee is required for Applicants to file this IDS, please charge any such fees, or credit overpayment, to Deposit Account No. 02-4550.

The filing of this IDS shall not be construed to be an admission that the information cited in the statement is, or is considered to be, prior art or otherwise material to patentability as defined in 37 C.F.R.

§1.56.

Respectfully submitted,

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